



**Minutes of the
City Commission for the City of Traverse City**

Regular Meeting

October 19, 2015

A regular meeting of the City Commission of the City of Traverse City was called to order at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan, at 7 p.m.

The following Commissioners were present, constituting a quorum: Mayor Michael Estes, Mayor Pro Tem Barbara D. Budros, James Carruthers, Ross Richardson, Tim Werner.

The following Commissioner was absent: Jeanine Easterday, Gary Howe.

The Pledge of Allegiance was recited.

Mayor Michael Estes presided at the meeting.

As requested by Commissioner Ross Richardson, Agenda Items 2(c), 2(f) and 2(h) were removed from the Consent Calendar for individual consideration by the City Commission.

As requested by Commissioner Tim Werner, Agenda Item 2(o) was removed from the Consent Calendar for individual consideration by the City Commission.

There being no objection, Mayor Michael Estes modified the order of the Agenda to consider those items removed from the Consent Calendar after New Business 4(c), respectively in the order in which they were removed from the Consent Calendar.

2. Consent Calendar

Moved by Carruthers, seconded by Richardson, that the following actions as recommended on the amended Consent Calendar portion of the Agenda be approved:

- a. The minutes of the October 5, 2015, Regular Meeting, the October 7, 2015, Joint Study Session, and the October 12, 2015, Special Meeting, be approved.
- b. The City Manager be authorized to issue a confirming purchase/service order in the amount of \$17,992.90 to Lemmen Oil Company for 10,003 gallons of unleaded gasoline priced at \$1.79875 per gallon with funds available in the Garage Fund.
- c. Removed from the Consent Calendar.
- d. The City Manager be authorized to declare the unsafe Benwil Automotive lift surplus, so that it may be disposed of as salvage steel.
- e. The City Manager be authorized to declare two Holder sidewalk tractors (#96 & #15) surplus, and that the City Manager be authorized to issue a purchase order to Hammersmith Equipment Company of Traverse City, in the amount of \$131,800.00 for the purchase of two 2015 Wacker Neuson WL32 mini wheel loaders with attachments, with funds available in the Garage Fund.
- f. Removed from the Consent Calendar.
- g. The City Manager be authorized to issue a blanket purchase/service order to Kasson Sand and Gravel in the total approximate amount of \$11,240, more or less, for approximately 2,000 tons of winter sand at \$5.62 per ton delivered, to be mixed with road salt for winter ice control for the 2015/2016 season, with funds available in the Street Fund.
- h. Removed from the Consent Calendar.
- i. The City Manager be authorized to declare a 2001 Dodge Ram 2500 (#95) surplus, and that the City Manager be authorized to issue a purchase order to Signature Ford of Owosso, in the amount of \$28,572 for the purchase of a 2016 Ford F350 Cab and Chassis, and a purchase order to Monroe Truck Equipment of Flint, in the amount of \$29,489 for the purchase of the required cabinets and equipment for this vehicle, with funds available in the Garage Fund.

- j. A Resolution Approving Special Improvement District 2015-004, which waives all public hearing and proceedings for the alley paving North of West Front Street and East of Monroe Street, be adopted; and further that a budget amendment be made to decrease contingencies by \$11,920.10 and to increase the transfer out to the S.I.D. Fund by \$11,920.10 in the General Fund Budget; and that a budget amendment be made to increase the budgeted revenues and budgeted expenses in the S.I.D. Fund by \$23,840.20 to reflect the revenues and expenses for the project.
- k. The Resolution Recognizing Traverse City as Book City, be adopted.
- l. The Mayor and City Clerk execute an amendment to the consultant agreement with OHM (originally authorized September 2, 2014, and amended on June 15, 2015), in the amount of \$383,434 for the development of a wastewater asset management plan (\$205,421), the development of a stormwater asset management plan (\$87,072) and the development of a stormwater management plan (\$90,941), all in relation to the implementation of the Stormwater Asset Management and Wastewater Grant (SAW Grant), with funds available in the Capital Projects, SAW Grant Fund, to be reimbursed by the SAW Grant Award, such amendment subject to approval as to its substance by the City Manager and its form by the City Attorney.
- m. The City Manager determined it was in the best interests of the City to not obtain competitive bidding, and therefore that the competitive bidding process be waived; and the Mayor and City Clerk execute a unit prices confirming change order to the contract with Elmer's Crane and Dozer, Inc., for the 2015 Phase One Paving and Resurfacing Project (originally authorized September 8, 2015), in the amount of \$13,505, more or less for the addition of 330 feet of storm sewer and a four foot manhole beneath Union Street at 16th and 17th Streets, such change order subject to approval as to its substance by the City Manager and its form by the City Attorney, with funds to come from the Capital Projects Fund.
- n. The City Manager be authorized to issue a unit prices service order to Oscar W. Larson Co. in the amount of \$67,112, more or less, for the 2015 Fuel Depot Improvement Project, with funds available in the Capital Projects Fund.

- o. Removed from the Consent Calendar.
- p. The City Commission supports a \$5,000 grant application to Rotary Charities for community engagement professional services related to restructuring of the Police Department to reflect the Community Policing Philosophy, with the services to be provided by NorthSky Nonprofit Network; and that the Interim Chief of Police be authorized to execute the related grant documents.
- q. The Resolution Approving the Editing and Inclusion of Certain Ordinances as Part of the Various Component Codes of the Codified Ordinances, be adopted.

CARRIED unanimously. (Easterday and Howe absent)

3. Old Business

3(a).

Consideration of authorizing a service order for the restriping of Eighth Street from Lake Avenue to Woodmere Avenue.

The following addressed the Commission:

Marty Colburn, City Manager

Moved by Budros, seconded by Werner, that the City Manager be authorized to issue a service order to PK Contracting in the amount not-to-exceed \$34,000 (with the City Manager to be authorized to manage a \$6,000 contingency related to this project) for the restriping of Eighth Street as generally described with the packet materials with the October 19, 2015, meeting packet with funds available in the Capital Projects Fund.

Bob Otwell, 525 Washington Street – made general comments

Mike Coco, 325 Wellington Street – expressed support

Rick Buckhalter, 932 Kelley Street – expressed opposition

Roll Call:

Yes - Carruthers, Werner, Budros, Estes.

No - Richardson.

FAILED. (5 votes required) (Easterday and Howe absent)

3(b).

Consideration of certifying the Traverse City Light and Power Coal Dock Property as surplus, accepting the conveyance of the property to the City and authorizing the related documents for sale of the property and associated bottomlands to Rotary Camps and Services.

The following addressed the Commission:

Marty Colburn, City Manager
Lauren Tribble-Laucht, City Attorney

Moved by Richardson, seconded by Werner, the City Commission certifies the Traverse City Light and Power Coal Dock properties as not necessary for the operation of the Light and Power Department, as required by the City Charter; and that the City Commission accepts the conveyance of the Coal Dock properties from Traverse City Light and Power as described in the Quit Claim Deed included with the packet materials for the October 19, 2015, Regular Meeting.

Jack Kelly, Elmwood Township Supervisor, 10100 East Avondale Lane,
Elmwood Township – made general comments
Rick Buckhalter, 932 Kelley Street – made general comments
Marsha Smith, 529 Washington Street, Rotary Charities Executive Director

Roll Call:

Yes - Carruthers, Richardson, Werner.

No - Budros, Estes.

FAILED. (5 votes required) (Easterday and Howe absent)

3(c).

Consideration of authorizing an amendment to the consultant agreement for additional design, construction administration, engineering, surveying and public input session services related to the Garland Street Reconstruction Project, to be reimbursed by the Brownfield Plan.

The following addressed the Commission:

Marty Colburn, City Manager
Timothy Lodge, City Engineer

Moved by Richardson, seconded by Werner, that the Mayor and City Clerk execute an amendment to the agreement with Fleis & Vandenbrink Engineering (originally authorized April 21, 2014), for the Garland Street Reconstruction Project, to increase agreement amount to \$143,800, for actual services provided as outlined in the October 13, 2015, communication from the Downtown Development Authority Executive Director and City Engineer, with the condition that the construction administration phase of the project not proceed until land has been secured for the realignment, with funds available in the TIF 97 Fund, to be reimbursed by the Traverse City Place Brownfield Plan, such amendment subject to approval as to its substance by the City Manager and its form by the City Attorney.

Rick Buckhalter, 932 Kelley Street – made general comments

CARRIED unanimously. (Easterday and Howe absent)

4. New Business

4(a).

Consideration of adopting a resolution waiving the City's right to repurchase a previously-sold, formerly City-owned, parcel at 632 South Garfield Avenue, to allow the closing of the sale of the property now held by Chemical Bank, with 60

residential units to be constructed on the property.

The following addressed the Commission:

Marty Colburn, City Manager
Doug Luciani, TraverseCONNECT CEO
Benjamin Marentette, City Clerk

Moved by Werner, seconded by Carruthers, that the Resolution regarding the sale of 632 South Garfield Avenue be adopted.

Justin Reid, 630 Cottage Drive – made general comments
Rick Buckhalter, 932 Kelly Street – made general comments

CARRIED unanimously.

4(b).

Consideration of authorizing an agreement for the construction of public restrooms and a conference room for the Downtown Development Authority as part of Radio Centre Phase 3, facing Park Street as well as the construction of a formal Park Street Public entrance to the Larry C. Hardy Parking Deck.

The following addressed the Commission:

Marty Colburn, City Manager
Benjamin Marentette, City Clerk
Rob Bacigalupi, Downtown Development Authority Executive Director

Moved by Richardson, seconded by Budros, that the Mayor and City Clerk execute an agreement with Lake Street Development, LLC for the construction of men and women public restrooms and a formal, public entrance into the Larry C. Hardy Parking deck off Park Street, with the terms and conditions as generally described in the October 13, 2015, communication from the Downtown Development Authority Executive Director, with the exception that the construction of additional office space and a conference room are not authorized as part of the scope of this contract, with the cost to be covered by proceeds from the Larry C. Hardy Parking Deck bond issuance, such agreement subject to approval

as to its substance by the City Manager and its form by the City Attorney.

Rick Buckhalter, 932 Kelley Street – made general comments

CARRIED unanimously. (Easterday and Howe absent)

4(c).

The next item being from the Consent Calendar, Consideration of authorizing a purchase order for a coin sorter for use by Parking Services.

The following addressed the Commission:

Rob Bacigalupi, Downtown Development Authority Executive Director

Moved by Richardson, seconded by Carruthers, that the City Manager be authorized to issue a purchase order to Cornelius Systems, Inc., in the amount of \$7,125 for the purchase of a Glory Mach-6 Coin Sorter with security stand and locking doors for use by Parking Services; and that the City Manager execute an annual maintenance agreement with Cornelius Systems, Inc., in the annual amount of \$772, with funds available in the Parking System Fund.

CARRIED unanimously. (Easterday and Howe absent)

4(d).

The next item being from the Consent Calendar, Consideration of declaring stainless steel membrane cassette frames from the Wastewater Treatment Plant surplus so the stainless steel may be sold.

The following addressed the Commission:

Marty Colburn, City Manager

Moved by Richardson, seconded by Werner, that the City Manager be authorized to declare the obsolete stainless steel membrane cassette frames surplus so that they may be disposed of.

CARRIED unanimously. (Easterday and Howe absent)

4(e).

The next item being from the Consent Calendar, Consideration of adopting a resolution establishing fees for Hickory Hills for the 2015-2016 season, as recommended by the Parks and Recreation Commission, with no proposed changes to the rates.

The following addressed the Commission:

Benjamin Marentette, City Clerk

Moved by Richardson, seconded by Werner, that the Resolution Establishing Fees For Hickory Hills Ski Area for 2015-2016 Season be adopted, with the resolution to be amended so that where there is a difference between senior citizen rates and children's rates, that the lesser be applied to both categories.

CARRIED unanimously. (Easterday and Howe absent)

4(f).

The next item being from the Consent Calendar, Consideration of authorizing a contract for the construction of Lot N (at Washington and Cass Streets) with the developer of Washington Place.

The following addressed the Commission:

Marty Colburn, City Manager

Moved by Werner, seconded by Richardson, that the Mayor and City Clerk execute a contract with Washington Place Development, Inc., in the amount not to exceed \$88,254.45, for construction related to Parking Lot N, such agreement subject to approval as to its substance by the City Manager and its form by the City Attorney.

CARRIED unanimously. (Easterday and Howe absent)

5. Appointments**5(a).**

Consideration of establishing an ad hoc interview committee to make recommendation regarding one appointment to the Grand Traverse County Brownfield Redevelopment Authority.

The following addressed the Commission:

Moved by Carruthers, seconded by Richardson, that Mark Crane (seat previously held by Mark Crane) be reappointed to one three-year term expiring December 31, 2018, on the Grand Traverse County Brownfield Redevelopment Authority, subject to approval by the Grand Traverse County Board of Commissioners.

CARRIED unanimously. (Easterday and Howe absent)

5(b)

Consideration of establishing an ad hoc interview committee to make recommendation regarding two appointments to the Board of Tax Review.

The following addressed the Commission:

Benjamin Marentette, City Clerk

Moved by Richardson, seconded by Carruthers, that James Franklin and Bruce Hilty (seats previously held by James Franklin and Bruce Hilty) each be reappointed to one three-year term expiring December 31, 2018, on the Board of Tax Review.

CARRIED unanimously. (Easterday and Howe absent)

5(c).

Consideration of establishing an ad hoc interview committee to make recommendation regarding one appointment to the Election Commission.

The following addressed the Commission:

Benjamin Marentette, City Clerk

Moved by Richardson, seconded by Werner, that Chris Campbell (seat previously held by Chris Campbell) be reappointed to one three-year term expiring December 10, 2018, on the Election Commission; and that the acceptance of the resignation of John Walton from the Election Commission and possible establishment of an ad hoc interview committee to make a recommendation to fill the vacancy created by Mr. Walton's resignation be considered by the City Commission at its November 9, 2015, Organizational Meeting.

CARRIED unanimously. (Easterday and Howe absent)

5(d).

Consideration of approving the Mayor's appointment to the Downtown Development Authority Board of Directors.

Moved by Richardson, seconded by Werner, the resignation of Joe Winowiecki be accepted and that the Mayor's appointment of Jeffery Joubran (seat previously held by Joe Winowiecki) to one unexpired four-year term expiring September 15, 2018, on the Downtown Development Authority Board of Directors, be approved.

CARRIED unanimously. (Easterday and Howe absent)

6. Reports and Communications

The following were received and filed:

- a. Reports, announcements and correspondence from the City Manager.
- b. Announcements from the City Clerk.

- c. Reports, announcements and correspondence from the Mayor and City Commissioners.
- d. Reports and correspondence from other City officials, boards and committees.
 - 1. Reports from members of the Commission serving on boards.
 - 2. Minutes of the Traverse City Light and Power Board meetings of June 9, 2015, July 28, 2015, August 25, 2015, and September 2, 2015.
 - 3. Minutes of the Human Rights Commission meeting of August 10, 2015.
- e. Reports and correspondence from non-City officials.
 - 1. North Flight Fractile Emergency Response Reports for August and September 2015.

7. Public Comment

The following addressed the Commission:

- 1. Reserved.

None

- 2. General.

Chris Maxbauer, 503 West Eighth Street, Grand Traverse County
Board of Commissioners

- 3. Mayor and City Commissioners.

8. Adjournment.

There being no objection, Mayor Michael Estes declared the meeting adjourned at 9:09 pm.

Benjamin C. Marentette, MMC
City Clerk

Approved: _____, _____
(Date) (Initials)